

UNITED STATES DISTRICT COURT

for the
Southern District of Ohio

Timothy Fortson

Plaintiff

v.

Charles Henness, et al.

Defendant

Civil Action No. 1:22-cv-410

JUDGMENT IN A CIVIL ACTION

The court has ordered that (check one):

☐ the plaintiff (name) _____ recover from the
defendant (name) _____ the amount of
_____ dollars (\$ _____), which includes prejudgment
interest at the rate of _____ %, plus post judgment interest at the rate of _____ % per annum, along with costs.

☐ the plaintiff recover nothing, the action be dismissed on the merits, and the defendant (name) _____
_____ recover costs from the plaintiff (name) _____.

☒ other: Fortson's objections (Doc. 20) are overruled and the January R&R (Doc. 16) is adopted, thereby dismissing all claims except those the Magistrate Judge specifically recommended in the January R&R should go forward. And because this is Fortson's second failed attempt to plead a viable cause of action, the Court dismisses those claims with prejudice. As to those remaining claims, the Court rejects the June R&R (Doc. 27). More specifically, the Court sustains Defendants' objections to the June R&R (Doc. 27) and, contrary to the recommendation in the R&R, the Court grants Defendants' Motion for Summary Judgment (Doc. 22) and thus dismisses all remaining claims with prejudice. Finally, the Court denies Fortson's Motion for Order Compelling Discovery (Doc. 35).

This action was (check one):

☐ tried by a jury with Judge _____ presiding, and the jury has rendered a verdict.

☐ tried by Judge _____ without a jury and the above decision was reached.

☒ decided by Judge Douglas R. Cole _____ on a motion for Summary Judgment.

Date: 2/23/24

CLERK OF COURT

Scott M. [Signature]

Signature of Clerk or Deputy Clerk

